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NASA Procedural Requirements

COMPLIANCE IS MANDATORY**NPR 3100.1B**Effective Date: December 19,
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Subject: Management of the Senior Executive Service (SES)**Responsible Office: Office of Human Capital Management**[| TOC](#) | [Preface](#) | [Chapter1](#) | [Chapter2](#) | [Chapter3](#) | [Chapter4](#) | [Chapter5](#) | [Chapter6](#) | [Chapter7](#) | [AppendixA](#) |
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Chapter 5. Pay

5.1 General

5.1.1 The level of pay of an executive will be a reflection of the responsibilities of the position as well as the qualifications, performance, and contributions of the executive.

5.2 Initial Pay Setting

5.2.1 Basic pay may be set at any rate within the SES salary range upon initial appointment to the SES, subject to the maximum rate of basic pay in 5 CFR § 534.404(a). The following guidelines will be followed in making the basic pay determination:

- a. Initial appointments will be made at the lowest practicable rate of pay.
- b. Current GS employees appointed to an SES position may receive an appropriate increase in pay, normally 6 percent. Proposed salaries exceeding this level will be justified based on appropriate factors, such as the scope and impact of the position, the special or unique qualifications of the selectee, or competing salary offers.
- c. The salary of a selectee from the private sector will be set at the lowest practicable level, considering the responsibilities of the position to be filled, the experience and qualifications of the selectee and anticipated contributions, the relative difficulty in filling the position with a highly qualified individual, and current salary.
- d. Initial pay determinations will be documented and approved by the Administrator, or designee, and maintained indefinitely or for the tenure of the employee with the Agency.
- e. Employees occupying ST or SL positions may be given an increase in pay upon appointment to the SES if the duties of the position and the employee's qualifications relative to the position are warranted.

5.3 Tier Positions

5.3.1 A limited number of executives may be paid above the salary for Executive Level (EX) III, not to exceed EX-II. These salaries are reserved for the highest performers occupying key positions that make the greatest contributions and have the greatest impact on the Agency's success. Appendices D and E contain Tier level descriptions and provide examples of the types of positions that each Tier level could include.

5.3.2 Generally, only employees at or near a salary of EX-III may be considered for advancement to a Tier salary, based on the importance of the position as well as individual performance and contributions to mission success. Advancement to and between Tiers will be considered during the annual performance review process.

5.3.3 The Administrator shall approve any pay action involving a salary above EX-III.

5.3.4 The fact that a position meets a Tier definition does not require that the position be designated as a Tier position, nor does it entitle an incumbent to a Tier salary.

5.3.5 Although the assignment to a Tier is based largely on the position, the expectations are that an individual paid at a Tier salary would continue to occupy positions of equal stature in the future and continue to perform at the highest level.

5.4 Adjusting Pay

5.4.1 As part of the annual performance management process, the Administrator or designee shall authorize pay increases for executives. A performance-based pay increase may be effected the first pay period in January providing the executive has:

- a. Completed a one-year SES probationary period.
- b. Served under an approved SES performance plan for at least 90 days.
- c. Received an official rating of record of at least Successful.
- d. Not received a basic pay increase in the last 12 months, with exceptions as indicated in 5.4.4 through 5.4.6 of this directive.

5.4.2 Although the specific increases are subject to change, the range of performance-based increases is expected to appropriately distinguish between low and high performers. Appendix F shows a representative range of performance-based increases.

5.4.3 Increases less than the maximum authorized are appropriate if a larger increase would cause the executive's salary to exceed EX-III (x for non-Tier positions), or would be inconsistent with the salary structure established at a Center for different organizational levels. Increases greater than these amounts shall be approved by the Administrator, based on appropriate justification by the EPM regarding the level of performance and/or contribution of the executive. Increases above EX-III are allowable only for individuals in Tier positions.

5.4.4 Executives with less than 12 months in the SES who:

- a. Entered the SES before July 3 of the previous calendar year and received an official rating of record of at least Successful approved by the Administrator may receive a performance-based increase when they have completed their probationary period (for limited term SES, when they complete one year in the SES). Probationary SES may receive an increase to maintain their position in the salary range under 5 CFR § 534.404(b)(4) provided the EPM documents that their performance meets or exceeds expectations, based on an approved SES performance plan. A subsequent performance-based increase upon completion of the probationary period is limited to the difference between the maximum performance-based increase allowed and the increase under 5 CFR § 534.404(b)(4).
- b. Entered the SES after July 2 but before October 1 of the previous calendar year may receive an increase to maintain their position in the salary range under 5 CFR § 534.404(b)(4) provided the EPM documents that their performance meets or exceeds expectations, based on an approved SES performance plan, and they are not eligible for any performance-based increase. An executive paid in a Tier may receive such an increase only if the Administrator approves the increase together with either an official rating of record of Distinguished for at least a 90-day period or a Meritorious rating for at least a 90-day period together with a documented exceptionally meritorious accomplishment.
- c. Entered the SES October 1 or later are not eligible for either of the above increases.

5.4.5 Executives who received a pay increase within the last 12 months may receive a pay increase the first pay period in January (or other effective date of an adjustment to the minimum or maximum rate of basic pay for the SES salary range) as follows:

- a. Executives who received an increase before July 3 may receive an increase to maintain their position in the salary range under 5 CFR § 534.404(b)(4). An executive paid in a Tier may receive such an increase only if the Administrator approves the increase together with an official rating of record of Distinguished for the rating period ending September 30 or a Meritorious rating together with an exceptionally meritorious accomplishment.
- b. Executives who received an increase on or after July 2 may receive an increase only with the Administrator's special approval, if otherwise permitted in regulations.
- c. If a performance-based increase was given within the last 12 months, e.g., upon completion of the probationary period or due to other delay in granting such increases, the 12-month rule under 5 CFR 534 is waived to align an executive's subsequent performance-based pay adjustment to the performance cycle.

5.4.6 An executive reassigned to a position with greater responsibilities may be considered for an increase in pay. The executive's most recent performance rating, current pay, and earlier pay adjustments will be factored into the decision and requires the Administrator's approval to waive the 12-month rule.

5.4.7 Tier increases will require the Administrator's approval, unless the position previously was approved for a Tier

1 or 2, which normally will be considered by the PRB during the annual performance review.

5.4.8 Unless otherwise authorized by the Administrator or designee, the pay of an employee returning to a GS position from a limited term or limited emergency SES appointment will be set at the rate that would have been in effect had the employee remained in the GS position, including any within-grade increases to which the employee would have been entitled.

5.4.9 Reduction in pay.

5.4.9.1 In accordance with 5 CFR 534.404(j), an executive's basic pay may not be reduced by more than 10 percent in any 12-month period. A management official's decision to decrease an executive's basic pay shall be based on the following:

- a. The decision is based on poor performance or conduct related reasons.
- b. The executive is provided a written notice 15 calendar days in advance of the effective date.
- c. The executive is provided a reasonable time (no less than seven calendar days) to respond orally or in writing and furnish evidence in support of the response.
- d. The executive is provided the opportunity to be represented.
- e. The executive is promptly provided a written decision and documentation that provides the specific reasons for the pay reduction after the executive's response, if any.
- f. The executive is provided an opportunity to request reconsideration by the Administrator within seven calendar days of the final decision.

5.4.9.2 Reductions in pay are not appealable. The Administrator's decision is final and not subject to further review.

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